IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

WP(C).No. 34195 of 2006(U)

PETITIONER:

SHENO DAVID, KOTTAPARAMBIL HOUSE,
ARTHINKAL P.O., CHERTHALA.

BY ADV. SRI.MATHEW JOHN (K)

RESPONDENTS:

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1. THE CHERTHALA MUNICIPALITY, REPRESENTED BY ITS SECRETARY.

2. THE SECRETARY, CHERTHALA MUNICIPALITY, CHERTHALA.

3. M.SATHEESH, MEPARAMBATH PADMA HOUSE, PANNIYAMKARA AMSOM & DESOM, kOZHIKODE DISTRICT.

R1-R2 BY ADV.MR.J.OM PRAKASH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.34195 of 2006

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Dated: 21st December, 2006

JUDGMENT

I do not propose to examine the merits of the grounds raised in the Writ Petition. But the petitioner who is the landlord of the third respondent has already submitted Ext.P1 representation before the 1st respondent-Municipality. In receipt of Ext.P1 the Municipality has issued Ext.P2 acknowledgment. A separate application Ext.P3 has been submitted by the petitioner before the Municipality seeking immediate cancellation of the trade licence issued to the third respondent on the ground that the petitioner has withdrawn his consent to the third respondent for conducting business.

2. Mr.J.Om Prakash, Standing Counsel takes notice on behalf of the Cherthala Municipality.

3. Having regarding to the rival submissions made, this Writ Petition will stand disposed of with the following directions:

The 1st respondent-Municipality will take up Exts.P1 and P3 immediately, issue to the to the third respondent, hear the petitioner and the third respondent and take a decision on Exts.P1 and P3 at the earliest and at any rate with one month of receiving a copy of this judgment together with a copy of the Writ Petition and all the exhibits.

srd **PIUS C.KURIAKOSE, JUDGE**